
A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. (a) By the end of the 2015-2016 school year:

2 (1) All public schools shall have an automated external
3 defibrillator situated in a permanent location on
4 campus;

5 (2) All public schools that have an athletic trainer shall
6 ensure that at every sporting event, an additional
7 automated external defibrillator is available and the
8 athletic trainer is trained and certified at all times
9 in the use of automated external defibrillators; and

10 (3) All public schools that do not have an athletic
11 trainer shall ensure that at every sporting event, at
12 least two faculty members of the school are trained
13 and certified at all times in the use of automated
14 external defibrillators.

15 (b) The department of education shall ensure that the
16 automated external defibrillator is maintained and regularly
17 tested according to the operation and maintenance guidelines set
18 forth by the manufacturer.



1 (c) For purposes of this section, "sporting event"
2 includes competitions, scrimmages, and practices.

3 SECTION 2. (a) By the end of the 2015-2016 school year:

4 (1) All charter schools shall have an automated external
5 defibrillator situated in a permanent location at the
6 charter school;

7 (2) All charter schools that have an athletic trainer
8 shall ensure that at every sporting event, an
9 additional automated external defibrillator is
10 available and the athletic trainer is trained and
11 certified at all times in the use of automated
12 external defibrillators; and

13 (3) All charter schools that do not have an athletic
14 trainer shall ensure that at every sporting event, at
15 least two faculty members of the charter school are
16 trained and certified at all times in the use of
17 automated external defibrillators.

18 (b) Each charter school shall ensure that the automated
19 external defibrillator is maintained and regularly tested
20 according to the operation and maintenance guidelines set forth
21 by the manufacturer.



(c) For purposes of this section, "sporting event" includes competitions, scrimmages, and practices.

SECTION 3. (a) By the end of the 2015-2016 school year:

(1) All divisions and campuses of the University of Hawaii system shall have an automated external defibrillator situated in a permanent location on campus; and

(2) The athletic department of the University of Hawaii, with regard to each institution under the University of Hawaii system, shall ensure that:

(A) There is an automated external defibrillator available to the athletic trainer present at every sporting event; and

(B) Every athletic trainer is trained and certified at all times in the use of automated external defibrillators.

(b) The University of Hawaii and each institution under the University of Hawaii system shall ensure that the automated external defibrillator is maintained and regularly tested according to the operation and maintenance guidelines set forth by the manufacturer.

(c) For purposes of this section, "sporting event" includes competitions, scrimmages, and practices.



SECTION 4. Section 663-1.5, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

"(e) Any person who in good faith, without remuneration or expectation of remuneration, attempts to resuscitate a person in immediate danger of loss of life when administering any automated external defibrillator, regardless of where the automated external defibrillator that is used is located, shall not be liable for any civil damages resulting from any act or omission except as may result from the person's gross negligence or wanton acts or omissions[-]; provided that an athletic trainer or faculty member who administers an automated external defibrillator pursuant to Act _____, Session Laws of Hawaii 2014, shall be considered to be doing so without remuneration or expectation of remuneration.

Any person, including an employer, who provides for an automated external defibrillator or an automated external defibrillator training program shall not be vicariously liable for any civil damages resulting from any act or omission of the persons or employees who, in good faith and without remuneration or the expectation of remuneration, attempt to resuscitate a person in immediate danger of loss of life by administering an automated external defibrillator, except as may result from a



1 person's or employer's gross negligence or wanton acts or
2 omissions."

3 SECTION 5. (a) There is established an automated external
4 defibrillator working group that shall be administratively
5 attached to the department of education for administrative
6 purposes. The working group shall consist of:

- 7 (1) A representative of the department of education;
8 (2) A representative of the University of Hawaii system;
9 (3) A representative of the state public charter school
10 commission;
11 (4) Representatives from the emergency medical services
12 divisions of each county; and
13 (5) Representatives from stakeholder groups that wish to
14 participate, such as the American Heart Association.

15 (b) The representatives of the department of education and
16 the University of Hawaii system shall serve as co-chairs of the
17 working group.

18 (c) The working group shall develop policies, procedures,
19 and best practices related to the use of automated external
20 defibrillators at public schools, charter schools, and the
21 University of Hawaii. The working group shall also develop a
22 model school emergency response plan for distribution and



1 implementation at all public schools, charter schools, and the
2 University of Hawaii.

3 (d) The working group shall report its findings, including
4 any proposed legislation, to the legislature no later than
5 twenty days prior to the convening of the regular session of
6 2015.

7 (e) The working group shall cease to exist on June 30,
8 2015.

9 SECTION 6. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so much
11 thereof as may be necessary for fiscal year 2014-2015 to the
12 department of education for the purchase and maintenance of
13 automated external defibrillators and for any related training.

14 The sum appropriated shall be expended by the department of
15 education for the purposes of this Act.

16 SECTION 7. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$ or so
18 much thereof as may be necessary for fiscal year 2014-2015 to
19 the University of Hawaii for the purchase and maintenance of
20 automated external defibrillators and for any related training.

21 The sum appropriated shall be expended by the University of
22 Hawaii for the purposes of this Act.



1 SECTION 8. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.
3 SECTION 9. This Act shall take effect on July 1, 2050.



Report Title:

Education; Automated External Defibrillators; Working Group;
Appropriation

Description:

Requires, by the end of the 2015-2016 school year, that: (1) every public school, charter school, and the University of Hawaii shall have one automated external defibrillator (AED) situated in a permanent location on campus; (2) public schools and charter schools that have athletic trainers, as well as the University of Hawaii, to have an additional AED available at every sporting event; (3) athletic trainers shall be trained and certified on the use of AEDs; and (4) public and charter schools that do not have athletic trainers to have at least two faculty members at every sporting event who are trained and certified on the use of AEDs. Establishes an AED working group to include representatives from the department of education, state public charter school commission, University of Hawaii, and interested stakeholder groups. Makes unspecified appropriations to the department of education and University of Hawaii. Effective 7/1/2050. (SD2)

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